

1 SCOTT N. SCHOOLS (SCSBN 9990)
2 United States Attorney

3 BRIAN J. STRETCH (CSBN 163973)
4 Chief, Criminal Division

5 JEFFREY B. SCHENK (CASBN 234355)
6 Assistant United States Attorney

7 150 Almaden Boulevard
8 San Jose, California 95113
9 Telephone: (408) 535-2695
10 Facsimile: (408) 535-5066
11 Email: jeffrey.b.schenk@usdoj.gov

12 Attorneys for the United States of America

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA,) No. CR 07-70653 RS
18 Plaintiff,) STIPULATION AND [PROPOSED]
19 v.) ORDER EXCLUDING TIME FROM
20 MATTHEW BRADLEY MORRISON,) JANUARY 3, 2008 TO FEBRUARY 14,
21 Defendant.) 2008 FROM THE SPEEDY TRIAL ACT
22) CALCULATION (18 U.S.C. §
23) 3161(h)(8)(A))
24)
25)
26)

27 On January 3, 2008 the parties appeared for a hearing before this Court. At that hearing,
28 the government and defense requested an exclusion of time under the Speedy Trial Act based
upon the defense counsel's need to effectively prepare by reviewing discovery materials
submitted by the government, the need to continue defense investigation and the need to jointly
negotiate a resolution in this matter. At that time, the Court set the matter for a hearing on
February 14, 2008.

29 The parties stipulate that the time between January 3, 2008 and February 14, 2008 is
30 excluded under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the
31 requested continuance would unreasonably deny defense counsel reasonable time necessary for

1 effective preparation, taking into account the exercise of due diligence. Finally, the parties agree
2 that the ends of justice served by granting the requested continuance outweigh the best interest of
3 the public, and the defendant in a speedy trial and in the prompt disposition of criminal cases. 18
4 U.S.C. §3161(h)(8)(A).

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6 DATED: January 3, 2008

SCOTT N. SCHOOLS
United States Attorney

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/s/
JEFFREY B. SCHENK
Assistant United States Attorney

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/s/
CYNTHIA LIE
Attorney for Defendant

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ORDER

Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY ORDERS that the time between January 3, 2008 and February 14, 2008 is excluded under the Speedy Trial Act, 18 U.S.C. §3161. The court finds that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The court therefore concludes that this exclusion of time should be made under 18 U.S.C. §3161(h)(8)(A).

IT IS SO ORDERED.

DATED:

HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE